

PROB 12B  
(7/93)

Report Date: September 7, 2011

**United States District Court**

**for the**

**Eastern District of Washington**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing is Attached)*

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**SEP 07 2011**

JAMES R. LARSEN, CLERK  
YAKIMA, WASHINGTON DEPUTY

Name of Offender: Allan Flake

Case Number: 2:07CR00023-001

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, U.S. District Judge

Date of Original Sentence: 11/16/2007

Type of Supervision: Supervised Release

Original Offense: Distribution/Receipt of Child  
Pornography and Forfeiture Count, 18 U.S.C. §  
2262A(a)(2)(A), Distribution/Receipt of Child  
Pornography and Forfeiture Count, 18 U.S.C. §  
2262A(a)(2)(A)

Date Supervision Commenced: 7/1/2011

Original Sentence: Prison - 60 Months; TSR - 60  
Months

Date Supervision Expires: 6/30/2016

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

- 25     You shall not possess or use any computer, telephone, cellular phone or any other electronic device with access to any on-line computer service without the prior approval of the supervising officer. This includes any Internet service provider, bulletin board system, or any other public or private computer network. You shall not have access to a modem during your term of supervision without the prior approval of the supervising officer.

**CAUSE**

This officer met with the offender and his sex offender therapist, Ed Averett, at Mr. Averett's office on August 30, 2011. Mr. Averett and this officer reviewed Mr. Flake's case upon the completion of his sex offender evaluation. We agreed that adding the above listed special condition would assist him in being successful on supervision. Additionally, this added special condition will assist in protecting the community. The offender possessed a work cellular phone and a personal e-mail Internet account. This officer and the Bureau of Prisons (BOP) residential re-entry center (RRC) staff directed the offender to ensure these Internet accounts were terminated. RRC staff confirmed the Internet accounts were closed. The offender understands the rationale behind this added special condition and agrees to abide by the condition.

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**Re: Flake, Allan**

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 09/07/2011


s/Brenda J. Kuest

Brenda J. Kuest  
U.S. Probation Officer

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**THE COURT ORDERS**

- ☐ No Action  
☐ The Extension of Supervision as Noted Above  
☒ The Modification of Conditions as Noted Above  
☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer

9/7/11  
\_\_\_\_\_  
Date